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(Rev. 12/04)

# UNITED STATES DISTRICT COURT

for

Western District of Wisconsin

U.S.A. vs. Isaiah Phillips Docket No. 22-cr-112-jdp-3

## Petition for Action on Conditions of Pretrial Release

COMES NOW Michael W. Sutor, pretrial services/probation officer, presenting an official report upon the conduct of defendant Isaiah Phillips, who was placed under pretrial release supervision by the Honorable Stephen L. Crocker, sitting in the court at Madison, Wisconsin on the 2<sup>nd</sup> date of November, 2022 under the following conditions:

**Condition No. 9:** This court has a zero-tolerance policy for drug use by criminal defendants released on conditions. Violation of any condition of release or of any other direction or instruction given by Pretrial Services relating to drugs or drug use shall result in return to court for a hearing on the modification or revocation of conditions of release.

**Condition No. 18:** Defendant shall not use, possess, buy or sell any illicit or narcotic drugs or any other controlled substance defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner with the knowledge or Pretrial Services. Defendant shall not use methadone or obtain a prescription for methadone.

## RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 2, 2022, the defendant was placed on conditions of pretrial release which included that he refrains from using drugs. On the same date, he was referred to ATTIC Correctional Services (ATTIC) for ongoing drug testing and to complete a substance abuse evaluation in accordance with Your Honor's imposed special conditions numbers 19 and 20. The defendant is to contact ATTIC daily to inquire if he has been selected for a random drug test. If selected, he must report to the drug testing facility on the same date to provide a sample for testing.

On December 28, 2022, a violation report was submitted to the court reporting that the defendant had three positive drug tests, all of which were positive for THC. Also stated in the violation report was that the defendant was participating in substance abuse treatment and that he was scheduled to commence mental health treatment within the near future. No action was taken by the Court.

Since the violation report submitted on December 28, 2022, the defendant has had four more positive drug tests. He was positive for THC on December 21, 2022; December 28, 2022; January 5, 2023; and January 18, 2023. The tests on December 21, 2022; December 28, 2022; and January 5, 2023, were all confirmed positive by the laboratory and the January 18, 2023, test is awaiting confirmation from the laboratory. At the time this report was written, he has had seven positive drug tests for THC.


On January 15, 2023, the defendant completed a mental health evaluation with WPF2 LLC. The results of the assessment were more serious than anticipated. The defendant was recommended to complete a psychiatric assessment to evaluate whether there are any organic causes for hallucinations in his case and to explore the benefits of medication. He was also recommended to participate in ongoing counseling/therapy. On January 19, 2023, he was referred to WPF2 LLC for ongoing counseling/therapy and does not have a start date for treatment at the time this report was written. The undersigned officer will be working with the defendant and his family to formulate a plan for him to complete a psychiatric evaluation.

Because the defendant is currently attending substance abuse treatment, and a plan is in place to address his mental health needs, detention or modification of his conditions is not recommended at this time. He will continue to be monitored and randomly drug tested. If the defendant continues to have positive drug tests or fails to participate in either substance abuse or mental health treatment, Your Honor will be promptly notified.

PRAYING THAT THE COURT WILL ORDER no action be taken at this time.

ORDER OF COURT

Considered and ordered this 19<sup>th</sup> day of  
JANUARY, 20 23 and ordered filed  
and made a part of the records in the above case.

  
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U.S. District Judge/Magistrate Judge

I declare under penalty of perjury that the foregoing  
is true and correct.

Executed on January 19, 2023

/s/ Michael W. Sutor

U.S. Pretrial Services/Probation Officer

Place Madison, Wisconsin